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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

TYRONE HAZEL, ROXANE EVANS,
VALERIE TORRES, and RHONDA HYMAN,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

PRUDENTIAL FINANCIAL, INC. and
ACTIVEPROSPECT, INC.

Defendants.

Case No. 3:22-cv-07465-CRB

**JOINT CASE MANAGEMENT
STATEMENT**

Date: October 13, 2023

Time: 8:30 a.m.

Courtroom: 6, 17th Floor

Judge: Hon. Charles R. Breyer

Pursuant to the Court's July 17, 2023 Case Management Scheduling Order (Dkt. 36) and Civil Local Rule 16-10(d), Plaintiffs Tyrone Hazel, Roxane Evans, Valerie Torres, and Rhonda Hyman ("Plaintiffs"), and Defendants Prudential Financial, Inc. ("Prudential") and ActiveProspect, Inc. ("ActiveProspect") (jointly, "Defendants") hereby provide this Joint Case Management Statement in advance of the Case Management Conference scheduled for October 13, 2023 at 8:30 a.m. The parties will be prepared to discuss these and any additional case management issues the Court may wish to address at the case management conference.

1. Pleadings

On June 9, 2023, the Court issued an Order granting in part and denying in part Defendants' motion to dismiss. Dkt 29. Defendants each filed an Answer to the First Amended Complaint on July 24, 2023. Dkts. 37, 38.

2. Discovery

Discovery has commenced. The parties submitted a stipulated Order Re: Discovery of Electronically Stored Information on September 1, 2023, which the Court entered on September 6, 2023. Dkts. 42, 44. Plaintiffs have served Defendants with their First Set of Requests for Production, and Defendants' responses to those Requests are discussed below. Plaintiffs also served their First Set of Interrogatories on each Defendant on September 27, 2023, and served deposition notices under Rule 30(b)(6) on each Defendant on September 29, 2023.

Plaintiffs delivered Early Rule 34 requests to each Defendant on May 9, 2023. The requests were deemed served at the parties' Rule 26(f) conference on June 23. Defendants responded to Plaintiffs' Rule 34 requests on August 11, 2023, and are in the process of producing responsive documents to Plaintiffs, though to date, no documents have yet been produced. On September 8 and 22, the Parties met and conferred regarding each of Defendants' Responses to Plaintiffs' First Set of Requests for Production. Following those discussions, Defendants informed Plaintiffs that their estimated date for substantial completion of production would be in February 2024. The Parties have conferred and will continue to confer about prioritizing certain Requests for Production.

The Case Management Scheduling Order set a deadline of March 11, 2024 for the filing of Plaintiffs' motion for class certification. Dkt. 36. To ensure that Defendants have sufficient time to

review and produce responsive documents and Plaintiffs have sufficient time to review responsive documents, take depositions, conduct expert analysis and prepare their motion for class certification, Plaintiffs proposed to Defendants a stipulated request for an extension of the current case deadlines. The parties now jointly propose a modified schedule.

3. Case Schedule

The Court entered a case scheduling order on July 17, 2023. *See* Dkt. 36 at 7-8. As described above, in order to ensure that Defendants have sufficient time to review and produce responsive documents, and to ensure that Plaintiffs' motion for class certification is briefed on an adequately developed factual record, the parties respectfully request that the Court grant an extension of the current case deadlines by approximately 100 to 110 days, as set forth in the proposed deadlines below.

Event	Current Date	Proposed Deadline
Initial Case Management Conference	October 13, 2023 at 8:30 a.m.	October 13, 2023 at 8:30 a.m.
Further Case Management Conferences	Every 90 days	Every 90 days
Deadline for Defendants to Substantially Complete Production of Documents Responsive to Plaintiffs' First Set of Requests for Production	n/a	On or before February 28, 2024
Plaintiffs' motion for class certification	March 11, 2024	June 28, 2024
If Plaintiffs support their Motion for Class Certification with expert reports or testimony, Plaintiffs' experts available for depositions	Within 20 days following the filing of Plaintiffs' Motion for Class Certification	Within 20 days following the filing of Plaintiffs' Motion for Class Certification
Defendant's opposition to motion for class certification	May 10, 2024	August 28, 2024
If Defendants support their Opposition to Class Certification with expert reports or testimony, Defendants' experts available for depositions	Within 20 days following the filing of Defendants' Opposition	Within 20 days following the filing of Defendants' Opposition
Plaintiffs' reply in support of motion for class certification	June 10, 2024	September 27, 2024
Hearing on Motion for Class Certification	June 28, 2024 at 10 a.m., or as soon thereafter as is convenient for the Court	October 18, 2024 at 10 a.m., or as soon thereafter as is convenient for the Court

Event	Current Date	Proposed Deadline
Deadline to Amend the Complaint Regarding Class Certification Matters	30 days after ruling on class certification	30 days after ruling on class certification
ADR	30 days after ruling on class certification	30 days after ruling on class certification
Close of Fact Discovery	August 9, 2024	November 27, 2024
Exchange Opening Expert Reports	September 13, 2024	December 20, 2024
Exchange Rebuttal Expert Reports	November 19, 2024	February 25, 2025
Close of Expert Discovery	December 17, 2024	March 25, 2025
Motions for summary judgment and <i>Daubert</i> motions	January 28, 2025	May 6, 2025
Responses to motions for summary judgment and <i>Daubert</i> motions	March 14, 2025	June 20, 2025
Replies in support of motions for summary judgment and <i>Daubert</i> motions	April 11, 2025	July 18, 2025
Hearing on motions for summary judgment and <i>Daubert</i> motions	May 9, 2025, at 10 a.m., or as soon thereafter as is convenient for the Court	August 15, 2025, at 10 a.m., or as soon thereafter as is convenient for the Court
Final Pretrial Conference	TBD	TBD
Jury Trial	TBD	TBD

4. ADR Update

Pursuant to Civil Local Rule 16-10(d), the Parties state that they have agreed to meet and confer regarding the selection of an ADR process after a period of discovery.

DATED: October 6, 2023

By: /s/ Nina R. Gliozzo

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DATED: October 6, 2023

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*Attorneys for Defendants Prudential
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FILER'S ATTESTATION

I, Nina R. Gliozzo, am the ECF User whose ID and password are being used to file this document. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that all counsel listed above have concurred in this filing.

DATED: October 6, 2023

/s/ Nina R. Gliozzo

Nina R. Gliozzo

CERTIFICATE OF SERVICE

I hereby certify that on October 6, 2023, I electronically filed the foregoing document using the CM/ECF system, which will send notification of such filing to all counsel of record registered in the CM/ECF system.

DATED: October 6, 2023

/s/ Nina R. Gliozzo

Nina R. Gliozzo